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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/718,286	11/21/2000	Sungil Lee	M-9601 US	2969

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Gil Lee
JC Research, Inc.
606 N. First Street
San Jose, CA 95112

EXAMINER

MEKY, MOUSTAFA M

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/718,286

Applicant(s)

LEE, SUNGIL

Examiner

Moustafa M Meky

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2000.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3 and 11 is/are rejected.
7) ☒ Claim(s) 4-10 and 12 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Claims 1-12 are presenting for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 & 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller (US pat. No. 6,208,612) in view of Petrocelli (US2002/0046215).
4. As to claims 1-3, Miller shows in Fig 1, a system for digital data duplication (see col 6, lines 18-25). Miller teaches the limitations of:

- taking request at one user interface (host computer 12), see the abstract, lines 1-4, col 2, lines 45-52;
- transmitting the requests to a computer (copy unit 20, notice that the control unit 20 includes a microprocessor, and the memory CD-R disks), see col 3, lines 16-27, col 6, lines 18-32;
- assigning the requests to output devices (CD-R disks), see the abstract, lines 19-21, col 4, lines 35-40, col 6, lines 29-57, col 7, lines 50-64; and
- executing the duplication process, see col 9, lines 58-67.

Miller does not teach transmitting the requests through a network (Miller shows the host computer 12 is directly connected to the computer 20). However, transmitting requests through a network to a duplication system is well known in the art as been shown by Petrocelli, see page 3, col 2, [0033]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of

Petrocelli with the system of Miller in order to provide more flexibility for the system and for the user (having the duplication system in one location and the user's interface in another location gives more flexibility to the system and the user).

5. As to claim 2, Miller shows that the duplication process is a digital information storing medium comprises compact disks, see col 2, lines 46-52, col 7, lines 50-64, col 9, lines 56-67.

6. As to claim 3, Miller shows transferring digital data onto blank record able digital compact disks, see col 2, lines 46-52, col 7, lines 50-64, col 9, lines 56-67.

7. As to claim 11, the claim is similar in scope to claim 1, and it is rejected under the same rationale (the server is presented by the copy unit 20 in which the server 20 serves the host computer 12).

Therefore, it can be shown from paragraphs 4-7 that the combination of Miller and Petrocelli teaches the limitations of claims 1-3 & 11.

8. Claims 4-10 & 12 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Art Unit: 2157

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M Meky whose telephone number is 703-305-9697. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.M.M
June 24, 2004


MOUSTAFA M. MEKY
PRIMARY EXAMINER